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ABSTRACT

An assignment focuses on introducing students to the complexities involved in rendering a decision concerning the First Amendment to the Constitution. During the first week of classes, students are asked to read the introductory sections to the topic-specific chapters in "Freedom of Speech in the Marketplace of Ideas" by Fraleigh and Truman, which include: incitement to illegal conduct; national security; fighting words; hate speech; defamation of character; obscenity; time, place, and manner restrictions; government-subsidized speech; and technology issues. Students rank in order the topics they found most interesting; they are then divided into two groups, and each is assigned either the pro or con of a specific free-speech related incident. Each group researches their topic for 6-8 weeks. Debates are held in front of the rest of the class. (A class syllabus is appended.) (CR)

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FRAMING THE FIRST AMENDMENT IN A DEBATE FORMAT

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The assignment focuses on introducing students to the complexities 1 involved in rendering a decision concerning the First Amendment to the Constitution. Students are often quick to voice an opinion about a host of subject matters involving free speech, yet are lax in backing up their opinions with definite conceptual/theoretical positions, and lax in understanding the repercussions of their decisions.

Students are asked during the first week of classes to read the introductory sections to the topic-specific chapters in *Freedom of Speech in the Marketplace of Ideas* by Fraleigh and Tuman (i.e., incitement to illegal conduct; national security; fighting words; hate speech; defamation of character; obscenity; time, place, and manner restrictions; government-subsidized speech; technology issues). Students rank order on a 3/5" card at the end of the first week the topics they found the most interesting. I place each student into two groups trying to honor their preferences. (I rarely have to go beyond the third choice.)

Each group is assigned either the pro or con of a specific free-speech related incident. The regional newspaper and the 1st amendment list serve provide a plethora of situations for students to examine. Each group researches their specific situation, reads court opinions to determine what precedents may have been set by the Supreme Court and lower courts, and prepares written briefs for

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the in-class debates. I provide six to eight weeks to conduct the necessary research before beginning the debates.

A debate consist of the pro-con sides on an issue "facing off" before the rest of the class. I serve as a moderator for the debate. One day for each issue is usually sufficient to cover the material. A few subjects (e.g., hate speech, obscenity, and technology) require two days. Class members not affiliated with the either the pro/con on an issue serve as the audience. The audience may freely interject comments, questions, opinions during the debate. The pro/con sides should be prepared to address audience comments as they arise. The moderator is in charge of providing an opportunity for the pro/con sides to be heard and for the free flow of ideas during the debate.

I have used a variety of formats for the debates. I have found as long as each side is provided with an opportunity to make an opening case and with opportunities to rebut the other side (and the audience, if necessary), the specific format of the debate is not critical to the success of the assignment. Specific time limits may be implemented at the discretion of the moderator.

To avoid "I hate my group" griping, 50 percent of the assigments are given by the instructor (all group members receive same points), and other 50 percent are assigned by group's members. A lazy group member, must therefore, answer to the other group members. I grade my 50 percent of the assignment on depth and breadth of preparation (copies of written briefs are turned in), strength of

opening position, and ability to effectively address comments from the opposition and the audience.

COMMUNICATION ETHICS AND FREEDOM OF SPEECH

Speech Communication 300

Daniel Cronn-Mills, Ph.D.

206B Armstrong Hall

389-2213/5534

12-3 p.m. M-Th

or by appointment

OBJECTIVES:

1. Develop an understanding of ethical standards in human communications.

2. Develop an understanding of issues involving ethics in communication.

3. Develop an understanding of freedom of speech standards in the United States.

4. Develop an understanding of issues involving freedom of speech in the United States.

CLASS ASSIGNMENTS:

I. Mandatory Assignment–200 pts.

A series of in-class "mini-debates" focusing on one of the major areas of freedom of speech incitement to illegal conduct; national security; fighting words; hate speech; defamation of character; obscenity; time, place, and manner restrictions; government-subsidized speech; technology issues. The class will be divided into groups and assigned a pro/con position on one of the issues. 50% of 200 pts. assigned by Dan (all group members receive same points); 50% of 200 pts. assigned by group members.

II. Optional Assignments–please choose assignments which add up to 400 pts.

1. "Scrapbook" of ethics and free speech issues from the popular press with accompanying analysis. Scrapbook articles may be used to supplement class discussion of issues. Articles @ 10 pts. each = 10-400 pts.

2. Abstracts of communication ethics/freedom of speech research articles/convention papers. Abstracts @ 20 pts. = 20-400 pts.

3. Research project(s) exploring an issue in communication ethics and/or freedom of speech. The project(s) may be done solo or as a group project. All members receive the same grade for a group project. Standards and expectations for project(s) will be worked out with Dan and established in a written proposal. **Projects must be contracted by the end of January.** 100-400 pts.

EXTRA CREDIT: Students may earn extra credit by preparing, submitting, attending, and presenting a case study(ies) and/or research project at the Undergraduate Research Conference held by St. Thomas College in April. Details for extra credit must be worked out with Dan in advance. Extra Credit will move students up one letter grade for the class.

III. ATTENDANCE

APIA–Attendance, Participation, Involvement, Attitude. 100 pts. (My standard policy is to deduct 5 pts. from APIA each time a student is late for class as it impacts on all four criteria; reasonable justification for being late to class will be taken into consideration.) CE/FS is dependent on student involvement to be effective. The class has, therefore, an attendance policy. 10 pts. are deducted from APIA for each absence (reasonable justification for missing class will be taken into consideration).

CLASS POLICIES:

1. All written work is typed. Material not typed is not accepted.
2. All written work must follow *Dan's Guidelines to Effective Writing*.
3. Material must be turned in on time. Late work is not accepted.
4. Incomplete given only in cases meeting university guidelines.
5. Violation of university policies (i.e., harassment, plagiarism) will, minimally, result in an "F".
6. You will live with any decisions you make.